



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	BOARD OF ARCHITECTS
MEETING DATE AND TIME:	Wednesday, April 7, 2010 at 1:30 p.m.
PLACE:	861 Silver Lake Blvd., Conference Room B, Second floor, Dover, Delaware
MINUTES APPROVED:	5/5/10

MEMBERS PRESENT

Jean McCool, RA, Professional Member, President
Joseph Schorah, Public Member, Secretary
Gregory Kindig, RA, Professional Member
Arden Bardol, RA, Professional Member
Kenneth Freemark, RA, Professional Member
John Mateyko, RA, Professional Member
Elizabeth Happoldt, Public Member
Prameela Kaza, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Andrew Kerber, Deputy Attorney General
Nicole M. Williams, Administrative Specialist II
Kay Warren, Division Deputy Director

ABSENT

Toni Bush Neal, Public Member

OTHERS PRESENT

Nancy Payne of the American Institute of Architects

1.0 Call to Order

Ms. McCool called the meeting to order at 1:35 p.m. and welcomed the new Board members as she was not able to attend the last meeting.

2.0 Review and Approval Of Minutes

The Board reviewed the meeting minutes from March 3, 2010. Ms. Bardol made a motion, seconded by Ms. Kaza to approve the minutes as submitted. The motion carried unanimously.

3.0 Unfinished Business

Review of Unlicensed Activity Letters

Mr. Kerber advised the Board that there was no new activity on this matter.

Ms. Bardol advised that she had an issue that needed to be forwarded to the investigative unit concerning unlicensed practice. Ms. Williams will forward the information to the Investigative unit. The Board further discussed other matters concerning unlicensed practice.

Ms. McCool advised the Board regarding the letter of suspected unlicensed practice sent to DelTech in Georgetown as she received a call from the legal representative of the DelTech Owens Campus but directed the call to Ms. Allison Reardon. Ms. Williams advised that she was contacted by the same legal representative and advised the person to contact Ms. Allison Reardon as well.

Strategic Plan

Certificate of Authorization – Mr. Kerber advised the Board that he proposed a draft from the language of the new statute change regarding Certificate of Authorization (COA) and modeled it from the land surveyor's application for COA. Mr. Schorah advised that he found that this draft application does not include a statement of penalty for not filing this form.

The Board reviewed and discussed additional changes to be made. Ms. McCool inquired if this information can be sent to all licensed architects in Delaware by email. Ms. Williams advised that she will request to have this information sent via mass email to all licensees that have a valid email address and then for those who do not have an email address the information will be mailed to them. The Board would like to have the information sent out in the form of a notification with a link to the application and an advisory statement of how much time after receipt of notice they have to complete and file this application with the Division.

Ms. McCool inquired if this form would apply to sole proprietors. Mr. Kerber advised that the COA statute does not mention sole proprietors but advises to have a notification letter attached to the end of the application that advises that the person is a sole proprietor and send the letter back with their signature.

Mr. Schorah inquired whether the person is the signee for the business or just the sole proprietor put into the database. Ms. Williams advised that she will contact the system administrator to see how our database can be set up to include this information.

Ms. Warren entered the meeting at 2:25 p.m.

Mr. Freemark inquired if for the renewal the COA would have to be renewed in addition to the architect license, could there be a checkbox in the renewal. Ms. Williams advised that the System Administrator will generate this renewal process.

The Board discussed the fee for application. Ms. Warren advised that the Division sets the fees.

The Board discussed the penalty fee for not complying with the COA. The Board proposed to set the fee at \$2500. Ms. McCool made a motion, seconded by Ms. Kaza, to set the penalty fee for not complying with the COA. The motion carried unanimously. Mr. Kerber advised that this penalty amount appeared too high for this type of matter for the first offense. Mr. Mateyko advised to establish a standard and set the fee lower and requires the licensee to comply within 30 days and then set the fee higher. Mr. Freemark made a motion to amend the first motion to set the penalty fee

as \$175 if the application for COA is not filed within 30 days of notice and after the 30 days the fee will increase to \$2500, seconded by Ms. Kaza. The motion carried unanimously.

Ms. Bardol advised to have the application state that this COA application is good for every biennial period, meaning that it has to be renewed every two years in conjunction with the architect license. The Board further discussed.

Ms. Warren advised that the COA license for land surveyors have printed on it who is in responsible charge and that person will receive the renewal notice for the COA.

Ms. McCool advised that maybe we should send notification to all firms as well possibly. Mr. Schorah advised that the Board would like to see a track record of who signs or is sole proprietor for that firm. Ms. Bardol advised that this matter is more about the business than the architect so that the Board has documentation whether a firm is holding themselves out to the public as practicing architecture and has no architect of record.

Mr. Kerber advised that at the next meeting the revised application and cover letter will be ready for the Board to review. Ms. Happoldt inquired if after the second 30 days, what will be the Board's actions. Mr. Kerber advised that disciplinary proceedings would follow then thereafter.

Ms. Bardol inquired as to who the Board will address during any disciplinary proceedings. Mr. Kerber advised that the Board will address the firm, not the architect of record.

Rules and Regulations for COA

There was no discussion on this matter by the Board.

4.0 New Business

Review of Reciprocity Applications – NCARB Certificate – Ratify Listing

Mr. Freemark made a motion to ratify the listing for licenses issued to Richard Sutton, Christopher Zehnder, Robin Breslin, and David Franke, seconded by Ms. Kaza. Motion carried unanimously.

Review of Reciprocity Applications

There were none to review.

Review of Applications by Written Examination

There were none to review.

Complaint Assignments and Reassignments

There were none for assignment or reassignment.

Hearings Scheduled for May Meeting for Deficient Audits of 2009 – No Response

Ms. Williams advised that most of the names on the listing did not renew and were currently lapsed; therefore they would not be required to have a show cause hearing as per Mr. Kerber. Ms. McCool inquired if there were any responses back from the audit letters. Ms. Williams advised that she has only addressed those who have not responded and will have an update to the audits at the next meeting. For those that do not respond the Board will proceed with the show cause hearing in May and for those who respond the Board will be updated accordingly.

5.0 Other Business Before the Board (for discussion only)

Mr. Schorah advised the Board that a group from a VoTech inquired about talking to the Board to discuss information about Going Green. The Board advised that the meetings are open to the public and the group is welcome to attend and address the Board with any questions that they may have.

Ms. McCool updated the Board as to the Spring Regional Meeting she attended last month and advised that the June conference to be held in San Francisco, CA is now being specially funded to member board and member board executives in order for additional State delegates to be able to attend. Ms. Kaza volunteered to be funded to attend the June Conference.

6.0 Public Comment

There was no public comment.

7.0 Next Scheduled Meeting

The next meeting will be held on May 5, 2010 at 1:00 p.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

8.0 Adjournment

With no further business before the Board, Mr. Freemark made a motion, seconded by Ms. Kaza, to adjourn. The meeting adjourned at 3:10 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nicole M. Williams".

Nicole M. Williams
Administrative Specialist II